

III. REMARKS

Status of the Claims

Claims 10, 11, 27, 29, and 30-32 are amended. New claims 33-41 are added. Claims 10-13, 16, 18, 27, 28 - 41 are presented for consideration.

The claims of this application are amended to clarify what is intended to be protected in this application. No new matter is presented. The amendments to the claims are not intended to be more limiting, are not made for reasons related to patentability, and should not be interpreted to raise issues of estoppel.

The Office Action and Responsive Remarks

Applicant has considered the Examiner's comments set forth in the Office Action mailed April 1, 2009 and responds in detail below. The Applicant respectfully requests that the Examiner reconsider the claim rejections in view of the above amendments and the following remarks.

Claims 10 - 13, 16, 18, and 27-28 stand rejected under 35 U.S.C. 102(b) based on the cited reference Parulski, US Patent No. 5,475,411. This rejection is traversed on the following grounds:

The cited reference Parulski fails to disclose each and every limitation of the claims of this application. It is well settled that a claim is anticipated, "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (See CHISOLM, Federal Circuit Guide, Pg. 1221). In Claim 10, as amended, states:

"a card shaped body having an interface conforming to the standard for PCMCIA circuit cards and adapted to be received in a PCMCIA compatible card slot of a host computer;

a camera unit constructed in the card shaped body, the camera unit comprising an image sensor for receiving image data from an optical element and a processor configured to adapt said received image data for transmittal to the host computer through the PCMCIA interface ;

wherein the optical element is configured to remain external to the host computer and the apparatus is configured for image capture, when connected to the host computer via the PCMCIA interface."

Independent claims 29 and 32 have equivalent limitations. The cited reference Parulski, fails to disclose or suggest these features.

In the citation of Parulski, the Examiner characterizes the extender board 24 of Parulski as disclosing:

"...an optical unit constructed in the card shaped body comprising an image sensor for receiving image data from an optical element and a processor configured to adapt said received image data for transmittal to the host computer through the PCMCIA interface .."

Applicant respectfully submits that the cited reference does not support the above description. The extender board 24 is not a circuit card. It is merely a conduit for connecting camera 20 to portable computer 10. It is also referred to as "structural element 22". Extender board 24 fits into a PCMCIA card slot. In addition, it may be removable from camera 20. The circuit card of this invention integrates the elements of a camera function into the circuit card itself. (see column 3, lines 52-63) This is not taught by the cited reference Parulski, no matter how many times the Examiner asserts otherwise.

The cited reference describes an electronic camera system for operation with a computer. The basic idea is that they have an adapter, (i.e. card interface/extender board/structural element 24) between the camera and the computer for transferring (image) signals to the computer. The camera can be connected to the adaptor directly with a mechanical connection or by cable (fig. 6) or by radio with RF transmitter and a receiver (fig. 7).

Because of the above described differences in the device of Parulski, the cited reference does not support the rejection based on anticipation.

Applicant has attempted over the lengthy prosecution of this application to amend the claims to make the distinguishing features as clear as possible. The Examiner, although indicating that Applicant's previous remarks are moot in view of a new basis for rejection, has merely restated the same rejection.

In considering a rejection based on anticipation, the elements of the claim and their function and purpose within the claim must be reviewed in a manner similar to an infringement analysis. If the device described in the cited reference would not infringe if it was later, it will not anticipate if the reference is earlier.

Applying this standard to extender board 24, as described in the reference Parulski, it is observed none of the significant elements of any of the independent claim 10, 29, and 32 are present and, therefore, the device described therein, would not infringe. Accordingly the reference does not support a rejection based on anticipation. This would also apply to the rejected dependent claims.

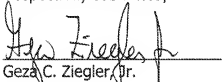
Accordingly the reference Parulski fails to support the rejection of the claimed subject matter of claim 10 based on anticipation.

These grounds apply equally to new claims 33-41 and the rejected dependent claims, all of which, by dependency, have the limitations described in independent claims 10, 29 and 32.

For all of the above reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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